

ORIGINAL

CV 23-2643

DeARCY HALL, J.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

JEFFERY BENJAMIN

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-
69TH COMMAND OF NYPD
POLICE OFFICER BRIANA PARKER
POLICE OFFICER MATTHEW MAURO
POLICE OFFICER LANDREY CHERENTANT

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.) POLICE OFFICER TASHAWN SIMSGABY

REYES, M.J.

Complaint for Violation of Civil
Rights
(Non-Prisoner Complaint)

Case No. _____
(to be filled in by the Clerk's Office)

Jury Trial: Yes No
(check one)



NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in *forma pauperis*.

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>JEFFREY BENJAMIN</u>
Street Address	<u>577 MACON STREET APT 1</u>
City and County	<u>BROOKLYN, NEW YORK, 11233</u>
State and Zip Code	
Telephone Number	<u>347-729-2790</u>
E-mail Address	<u>NONE AT THIS MOMENT</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	<u>BRIANA PARKER</u>
Job or Title (if known)	<u>NYPD POLICE OFFICER #16240</u>
Street Address	<u>97 20 FOSTER AVE</u>
City and County	<u>BROOKLYN, KINGS</u>
State and Zip Code	<u>11236 NEW YORK</u>
Telephone Number	
E-mail Address (if known)	

Defendant No. 2

Name Matthew MAURO
Job or Title Police Officer #13615
(if known)
Street Address 9720 FOSTER AVE
City and County BROOKLYN, KINGS
State and Zip Code NEW YORK, 11236
Telephone Number _____
E-mail Address _____
(if known) _____

Defendant No. 3

Name ANDREY CHEREVATANT
Job or Title Police Officer # 30846
(if known)
Street Address 9720 FOSTER AVE
City and County BROOKLYN, KINGS
State and Zip Code NEW YORK, 11236
Telephone Number _____
E-mail Address _____
(if known) _____

Defendant No. 4

Name TASHAWN Simsabu
Job or Title POLICE OFFICER
(if known)
Street Address 9720 FOSTER AVE
City and County BROOKLYN, KINGS
State and Zip Code NEW YORK, 11236
Telephone Number _____
E-mail Address _____
(if known) _____

NAME
Job or title

69TH COMMAND
POLICE STATION
39720 FOSTER AVE
BROOKLYN, KINGS
NEW YORK, 11236,

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

State or local officials (a § 1983 claim)
 Federal officials (a *Bivens* claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

FA/SE IMPRISONMENT, FA/SE ARREST, FA/SELY REPORTING AN INCIDENT.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

MA/LICIOUS PROSECUTION; FA/SE IMPRISONMENT;
MENTAL STRESS; PROBABLE CAUSE;
FA/SE ARREST

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

9523 FLATLANDS AVE.
BROOKLYN, NEW YORK, 11236

B. What date and approximate time did the events giving rise to your claim(s) occur?

July 1, 2021 approximately
9:30 A.M.

C. What are the facts underlying your claim(s)? (For example: *What happened to you? Who did what? Was anyone else involved? Who else saw what happened?*)

ON JAN 25, 2022, CRIMINAL COURT
OF THE CITY OF NEW YORK, COUNTY
OF KINGS PORT APAR ONE DOCKET
NUMBER CR-01633721 KN HEREIN
EXHIBIT "A" DEFENDANT FORCED TO
PROCEEDING TO ARREST NUMBER
K2162223 AND ARREST NUMBER
K21622286 WITH THE OFFICE OF
THE DISTRICT ATTORNEY, KINGS COUNTY
AS EXHIBIT "B".

ON July 1, 2021, MATTHEW MEURO
officed 13815, FILE FALSE CHARGES
ALONG WITH LANDREN CHEFANT
DRIED 200846, AT THE SIMSON AND
SHELD 25740, UNAUGUST 2018
TEFFERY BENJAMIN BASE ON FALSE
INFORMATION TO UNLAWFUL DETAIN
TEFFERY BENJAMIN AT NEW YORK CITY
POLICE STATION AT 20 FOSTER AVENUE
BROOKLYN, NEW YORK 11236, ON
COMMAND STATION. HELD UNDER
NEW YORK CITY POLICE DEPARTMENT
UNIFORM SYSTEM COMPANT
20021-069-00088-26. THE WARRANT
WITNESSED THE DEFENDANT (S)
MADE AGREES UNDER AFFIDAVIT
NUMBER: K21622286. IT BEING
CASE REPORT OF CRIMINAL
BELONGING TO THE SEARCH AND
SEIZURE WITHIN THE
SEARCH AND SEIZURE OF PROBATION
CRUISE AND MALICIOUS PROSECUTION
COMMITTED IN REPORT NUMBER
K2162286 AND AFFIDAVIT
NUMBER K2162283.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

PAIN AND SUFFERING, Gabapentin 300 mg
FALSE IMPRISONMENT, ILLEGAL SEARCH
AND SEIZURE, FILING FALSE REPORTS
UNDER ARREST NUMBER K21622223 AND
ARREST NUMBER K21622286 MALICIOUS
PROSECUTION, MENTAL STRESS, PERSONAL
BIAS.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

By REASON OF FACTS AND CIRCUMSTANCE STATED
ABOVE Plaintiff has been damaged by defendant(s)
PAY SEPARATELY IN THE SUM \$ 3,000,000 FOR PAIN AND SUFFERING
MENTAL STRESS \$ 8,000,000, FILING FALSE ARREST REPORTS
UNDER ARREST NUMBER K21622223, AND
K21622286 \$ 7,000,000, FALSE IMPRISONMENT
\$ 10,000,000, ILLEGAL SEARCH AND SEIZURE
\$ 2,000,000, MALICIOUS PROSECUTION \$ 6,000,000.
PERSONAL BIAS \$ 2,000,000.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 4-4, 2023

Signature of Plaintiff JB Jeffrey Benjamin

Printed Name of Plaintiff Jeffrey Benjamin